



The Law Society  
of Upper Canada

Barreau du  
Haut-Canada

# 2015 Annual Report

The Law Society's online annual report details our performance for 2015—with messages, charts, other updates and financial statements—and lays out our strategic direction for 2015–19.



## TREASURER

Read about how we protected the public interest, supported the professional competence of our members and facilitated access to justice.  
([2015/en/treasurer-message/](#))



## CEO

Learn more about the work the Law Society did to wrap up initiatives from the previous benchers term, and how we're working with our new governing board to focus on the future.  
([2015/en/ceo/](#))



## STRATEGIC PLAN

After extensive strategic planning, the Law Society has set the priorities and key supporting initiatives on which we will focus for the next four years.



## KEY TRENDS

Explore statistics detailing the Law Society's regulatory and licensing activities.  
([2015/en/key-trends/](#))

# Treasurer's Message

I am very pleased to present the Law Society's 2015 Annual Report. It summarizes the many activities and initiatives undertaken last year to ensure that the Law Society continues to lead as a professional regulator. Without a doubt, 2015 was a banner year for consultation, collaboration and engagement with the membership, the legal community in general — and the public. Engaging in candid and open dialogue remains vital to ensuring the health of the professions, and fuels our collective efforts to address access to justice issues. What we learned was invaluable in helping us plan for the future. We made significant progress last year on numerous important issues, as highlighted below.



## Collaboration & Consultation

### Compliance-based Entity Regulation

In 2015, we established a task force to explore [compliance-based entity regulation](https://www.lsuc.on.ca/better-practices/) (<https://www.lsuc.on.ca/better-practices/>). The task force prepared a consultation paper last fall to actively seek member input on a system that may serve the public interest by helping lawyers and paralegals improve their practice standards and client service.

A compliance-based entity regulation system could enable the Law Society to regulate entities, including law firms, to assure compliance with professional practice standards. It would provide additional tools to promote proactive compliance, so that lawyers and paralegals could continue to maintain and enhance the professional services they deliver to their clients.

The task force is now considering feedback received and will be reporting to Convocation in the spring of 2016.

## Challenges Faced by Racialized Licensees

We also reached out in 2015 to conduct extensive consultations with legal communities on the challenges faced by racialized licensees at all stages of their careers.

Between January and April, the Challenges Faced by Racialized Licensees Working Group (<https://www.lsuc.on.ca/racialized-licensees/>) heard from over 1,000 racialized and non-racialized lawyers, paralegals, law students, articling students and members of the public from across the province.

After providing an interim report ([https://www.lsuc.on.ca/uploadedFiles/For\\_the\\_Public/About\\_the\\_Law\\_Society/Convocation\\_Decisions/2015/convocation-april-2015-equity.pdf](https://www.lsuc.on.ca/uploadedFiles/For_the_Public/About_the_Law_Society/Convocation_Decisions/2015/convocation-april-2015-equity.pdf)) to Convocation in April 2015, the working group is now developing a final report with recommendations on viable solutions to addressing these challenges.

## Equity Advisory Group (EAG)

The Law Society is particularly grateful for the input it received from the Equity Advisory Group (EAG) (<http://www.lsuc.on.ca/with.aspx?id=2147487010>) last year. EAG comprises individuals and organizations that assist the Equity and Aboriginal Issues Committee to develop policy options for the promotion of equity and diversity in the legal professions.

EAG's input around the work of the Challenges Faced by Racialized Licensees Working Group and the Compliance-based Entity Regulation Task Force, among other initiatives, was invaluable.

# Outreach

## Indigenous Initiatives

Over the last year, we continued to actively build and strengthen relations with Indigenous communities through our legal education events, meetings with Indigenous leaders and visits to their communities.

With the release of the Calls to Action from the Truth and Reconciliation Commission, benchers and staff have been engaged in considering how we can respond effectively as the regulator and as an agent for change in the justice system.

We are committed to promoting reconciliation and it is the foundation of our renewed Indigenous Strategy (<https://www.lsuc.on.ca/indigenous-initiatives/>) in 2016.

The Law Society is also working to improve cultural competency in the legal professions to support Indigenous clients and licensees dealing with Indigenous issues.

## Early Career Roundtable

In 2015, we also stepped up our efforts to engage with the next generation of legal professionals. I decided to create a roundtable for new licensees and students, with representatives from across Ontario, where we could discuss professional issues and Law Society initiatives of particular concern to them.

I was very pleased to welcome this group to Osgoode Hall for the inaugural meeting of the Early Career Roundtable in October 2015 and twice since then.

The Law Society has much to gain and learn from this group of dynamic and engaged new licensees and students.

# Professional Competence

## Law Practice Coach and Advisor Program

The Law Society developed the framework for a new Law Practice Coach and Advisor Initiative ([https://www.lsuc.on.ca/uploadedFiles/For\\_the\\_Public/About\\_the\\_Law\\_Society/Convocation\\_Decisions/2015/convocation-january-2016-mentoring.pdf](https://www.lsuc.on.ca/uploadedFiles/For_the_Public/About_the_Law_Society/Convocation_Decisions/2015/convocation-january-2016-mentoring.pdf)) last year to respond to the growing need in the professions for short-term advisor supports, addressing file-specific and substantive matters, and longer-term coaching supports to

foster best practices.

The initiative, which was approved by Convocation in January 2016, is the culmination of work done by the Mentoring and Advisory Services Task Force, established in November 2013.

Participation in the program will be voluntary, and will evolve through ongoing engagement with the professions and co-ordination and collaboration with the existing mentor and advisory service programs of other legal organizations.

## Paralegal Standards

In 2015, we implemented reforms to the accreditation and ongoing audit framework for paralegal education programs. This included strengthening the licensing examination and introducing updated standards and criteria for paralegal college program accreditation.

## Mental Health Strategy Task Force

In June 2015, Convocation established the Mental Health and Wellness Task Force ([https://www.lsuc.on.ca/uploadedFiles/For the Public/About the Law Society/Convocation Decisions/2016/convocation-april-2016-mental-health.pdf](https://www.lsuc.on.ca/uploadedFiles/For_the_Public/About_the_Law_Society/Convocation_Decisions/2016/convocation-april-2016-mental-health.pdf)) to promote wellness and provide a more proactive and targeted approach to mental health and addictions issues within the legal professions.

The task force made its final report to Convocation in April 2016 and a long-term Mental Health Strategy has been approved.

This new strategy reinforces the Law Society's commitment to addressing mental health and addictions issues and builds on our existing initiatives and resources. It is also part of our four-year Strategic Plan.

## Access to Justice

### Resources and Information

The Access to Justice Committee of Convocation initiated a second printing of the Law Society's Handling Everyday Legal Problems Guide ([http://www.lsuc.on.ca/uploadedFiles/For the Public/Services for the Public/Access to Justice Programs/Access-to-Justice-digest-EN-Final-acc.pdf](http://www.lsuc.on.ca/uploadedFiles/For_the_Public/Services_for_the_Public/Access_to_Justice_Programs/Access-to-Justice-digest-EN-Final-acc.pdf)). The first edition, from 2014, was created in

English and French with the support of our partners, the Law Foundation of Ontario, Legal Aid Ontario and Pro Bono Law Ontario. Recently, the guide was used as a starting point for developing a tailored guide focussed on Indigenous legal services. We also developed fact sheets to help First Nation, Métis and Inuit (FNMI) peoples understand how the Law Society can help them and provide information about working with lawyers and paralegals. The translation of Law Society communication into Indigenous languages was a major first for our organization.

## The Action Group on Access to Justice (TAG)

The Action Group on Access to Justice (TAG) (<https://theactiongroup.ca/>), which is funded by the Law Foundation of Ontario, is catalyzing solutions to Ontario's access to justice challenges by facilitating collaboration with institutional, political and community stakeholders.

2015 activities included increasing the uptake of unbundled legal services, developing resources for trusted intermediaries, implementing online family law resources, helping licensees manage their mental health challenges and addressing the over-representation of Indigenous children and youth in care.

## Law Society Tribunal

Enhancements to the Law Society Tribunal (<https://lawsocietytribunal.ca/>) — a key component of the Law Society's public interest infrastructure — continued in 2015.

The Tribunal has improved its adjudicator training and evaluation processes and continues to develop greater effectiveness and efficiency as an adjudicative body.

The Tribunal also delivered its inaugural annual report last year, moved to new separate premises in the fall and is now supported by its own independent website.

## Leadership

### The Strategic Plan

Last year also marked the development and launch of a Strategic Plan (<http://www.annualreport.lsuc.on.ca/2015/en/strategic-plan/>) to guide the Law Society's activities for the 2015-19 term.

Developed by Convocation with the help of ongoing engagement with our stakeholders

across the province, the plan provides us with clear direction and concrete steps to be taken over the next four years.

The tasks we set are ambitious, focused on the public interest and position us well as we prepare for the legal landscape of the future.

We committed to five priority areas:

- Leading as a professional regulator
- Prioritizing life-long competence
- Enhancing access to justice across Ontario
- Engaging stakeholders and the public with responsive communications
- Increasing organizational effectiveness

More details of the plan (<http://www.annualreport.lsuc.on.ca/2015/en/strategic-plan/>) are available in this Annual Report.

## Looking Ahead

I would like to thank the benchers for their outstanding service and dedication, especially during my two terms as Treasurer. I am also grateful to Law Society CEO Robert G.W. Lapper, Q.C. (<http://www.annualreport.lsuc.on.ca/2015/en/ceo/>), and his talented and hardworking staff.

I am proud to have been a part of the creation and development of the Law Society's blueprint for the future. I believe it clearly outlines the Law Society's path as we move forward in a legal landscape that continues to be transformed by globalization, how legal services are defined and offered, technology, and changing client needs.

I look forward to watching the Law Society's progress on the important initiatives it is pursuing to advance access to justice and to lead as a regulator in the public interest.

# CEO's Message

I am delighted to report that in 2015 the Law Society completed and consolidated initiatives from the 2011-15 term, while working with our governing board to focus on an exciting future.

Our noteworthy advances from the past year and our plans for future years support our desire to be a leading legal regulator in the public interest.



## Strategic planning

Putting in place the Law Society's [Strategic Plan for 2015-19](http://www.annualreport.lsuc.on.ca/2015/en/strategic-plan/) (<http://www.annualreport.lsuc.on.ca/2015/en/strategic-plan/>) is a very significant achievement, and one that is described in detail throughout this annual report.

Our blueprint for the next four years clearly outlines several important and innovative initiatives that will assist us to continue to meet our legislated mandate to protect the public and to ensure the professional competence of our members while taking account of the very dynamic environment in which we operate.



## Awards for excellence

Law Society staff continue to be committed to excellence at work. In 2015, this commitment was once again recognized.

For several years, the Law Society's Client Service Centre staff have participated in the Progressive Excellence Program from Excellence Canada (<https://www.excellence.ca/en/home/>) (formerly the National Quality Institute). In 2015, they achieved the fourth and highest level of the program, and also met requirements for the Canada Awards for Excellence Gold Trophy.

For the 10th consecutive year, the Law Society was named a Greater Toronto Area Top Employer (<http://content.eluta.ca/top-employer-lsuc>). Being acknowledged as an inclusive and professional place to work is important, both to me personally and to all of us.

As a leading regulator, the Law Society seeks to be a role model for our membership with our diversity initiatives, our efforts to promote women in the workplace, our commitment to continuous learning and our support of mental health and well-being.

Further recognition for the Law Society came from the Association for Continuing Legal Education (ACLEA) (<http://www.aclea.org/>). The Law Society's Continuing Professional Development team received two awards:

- The Award for Professional Excellence for the Opening Your Practice Simulation Game – Lawyers and Paralegals e-course in the Best Programs, Large Organizations category; and
- The John Day Award for the e-Course Initiative in the Technology category.

The Annual ACLEA's Best Awards are highly competitive—over 300 organizations were considered for the awards the Law Society won.

## Technology

The LSUC Portal ([https://portal.lsuc.on.ca/wps/portal/custom\\_login\\_en](https://portal.lsuc.on.ca/wps/portal/custom_login_en)) has a new look and feel. Licensees will find the Portal easier to navigate, with many improved features, including e-commerce functions. The Portal has also been enhanced for better performance on mobile devices.

Staff are benefitting from the rollout of the Enterprise Content Management strategy, with improved file-sharing, search features, and a new intranet.

## Financial

We have carefully managed costs to hold the line on fees, while providing appropriate resources for the Law Society's ongoing programs and new initiatives growing out of the Strategic Plan. As a result, Ontario lawyers and paralegals saw their annual fees for 2016 unchanged from 2015.

## Social media

We have cultivated a significant following on our social media channels, having seen a notable increase in our audiences on [Facebook \(https://www.facebook.com/lawsocietylsuc\)](https://www.facebook.com/lawsocietylsuc), [Twitter \(https://twitter.com/lawsocietylsuc\)](https://twitter.com/lawsocietylsuc), and [LinkedIn \(https://www.linkedin.com/company/the-law-society-of-upper-canada\)](https://www.linkedin.com/company/the-law-society-of-upper-canada). We now enjoy a larger online audience than we've ever had for news announcements, articles, photos of our events, and updates on important initiatives. At the end of 2015, we implemented a strategy to build on our social media activity and use it more proactively and strategically, to support our priorities and engage with members of the public and the legal community online.

## Looking ahead

I would like to acknowledge the leadership of [Treasurer Janet Minor \(http://www.annualreport.lsuc.on.ca/2015/en/treasurer-message/\)](http://www.annualreport.lsuc.on.ca/2015/en/treasurer-message/) over the past two years. In particular, her dedication to consultation and commitment to engagement with all our stakeholders has served us well, and helped us to new foster new relationships and sustain existing ones that will be important in the years to come.

I look forward to using our new Strategic Plan to guide us in our work for the next four years. I am deeply conscious that there are challenges ahead for the Law Society –both staff and our governing board – in implementing the new plan, but I am also very confident—because of our continued commitment to excellence—that we will meet those challenges, and meet them ably.

# Strategic Plan 2015-19



## Our Mandate

The Law Society governs the legal professions in the public interest by ensuring that the people of Ontario are served by lawyers and paralegals who meet high standards of learning, competence and professional conduct.

We have a duty to protect the public interest, to maintain and advance the cause of justice and the rule of law, to facilitate access to justice for the people of Ontario, and to act in a timely, open and

efficient manner.

## Our Plan

After extensive strategic planning and engaging all members of the governing board, we will now focus on five priorities—as well as several key initiatives to support them—over the four years spanning 2015–19.

These priorities build on the accomplishments of the previous four years, and sharpen our focus on excellence in professional regulation.

## Our Priorities

### Lead as a professional regulator



- Enhance regulatory effectiveness to advance protection of the public
- Ensure appropriate considerations for mental health and equity are integrated into regulatory processes

We will review our processes and explore new regulatory approaches while continuing to manage risk. We will examine policies and procedures to ensure equitable treatment for every individual and group we interact with. We will also consider

opportunities for additional mental health supports and resources.

## Engage stakeholders and the public with responsive communications



- Improve communication with lawyers and paralegals through greater accountability, transparency and collaboration
- Build a better understanding of the Law Society among the public through heightened engagement

We will review our existing practices and consult broadly to strengthen our relationship with lawyers, paralegals, the public and other stakeholders, and build greater awareness of the Law Society.

## Increase organizational effectiveness



- Continue to enhance the public interest in the policy-making process
- Review governance methods and structures to ensure efficiency and effectiveness
- Enhance measurement and assessment of our services and programs

We will assess our governance structures, policy-making processes and programs and services, focusing on key objectives, costs and effectiveness.

## Prioritize life-long competence for lawyers and paralegals



- Evaluate and enhance licensing standards and requirements
- Improve and increase practice supports
- Consider comprehensive mentoring services

We will consider education beyond traditional Continuing Professional Development (CPD) formats, and work with the professions to develop initiatives that institutionalize mentoring, advisory services and other types of support.

## Enhance access to justice across Ontario

- Increase collaboration with access to justice partners and other stakeholders
- Develop and implement a more concrete access to justice action plan



We will extend our efforts to collaborate with justice partners and other stakeholders to identify and implement solutions to access to justice challenges.

# Professions

## Convocation Membership



## Treasurer

- Janet E. Minor

## Elected Benchers

- Raj Anand, LSM
- Peter Beach
- Fred J. W. Bickford
- Jack Braithwaite
- Christopher D. Bredt
- Robert J. Burd
- John E. Callaghan
- Paul M. Cooper

- Dianne G. Corbiere
- Cathy Corsetti
- Janis P. Criger
- Teresa Donnelly
- Ross F. Earnshaw
- Robert F. Evans, Q.C.
- Julian N. Falconer
- Rocco Galati
- Avvy Yao-Yao Go, O.Ont.
- Howard Goldblatt
- Joseph Groia
- Michelle Haigh
- Carol Hartman
- Jacqueline A. Horvat
- Brian Lawrie
- Janet Leiper, C.S.
- Jeffrey Lem
- Michael M. Lerner
- Marian Lippa
- M. Virginia MacLean, Q.C., LSM
- William C. McDowell
- Susan T. McGrath
- Isfahan Merali
- Malcolm M. Mercer
- Barbara J. Murchie
- Sandra Y. Nishikawa
- Gina Papageorgiou
- Susan Richer
- Jonathan M. Rosenthal
- Paul B. Schabas
- Raj Sharda
- Andrew Spurgeon
- Joanne St. Lewis
- Sidney H. Troister, LSM
- Jerry B. Udell
- M. Anne Vespry

- Peter C. Wardle

## Appointed Benchers

- Marion Boyd
- Gisèle Chrétien
- Suzanne Clément
- Seymour Epstein, P.Eng.
- Jan Richardson
- Gerald Sheff
- Baljit Sikand
- Catherine Strosberg

## Ex-Officio Benchers

- The Hon. Madeleine Meilleur, MPP
- Bob Aaron
- The Hon. Robert P. Armstrong, Q.C.
- Larry Banack
- Christopher Bentley
- Michael J. Bryant
- Paul Copeland, C.M, LSM
- Abraham Feinstein, Q.C., LSM
- The Hon. Lee K. Ferrier, Q.C.
- Neil Finkelstein
- Patrick Garret Furlong, Q.C., LSM
- Gary Lloyd Gottlieb, Q.C.
- The Hon. John D. Ground, Q.C.
- Howard G. Hampton
  
- Charles A. Harnick, Q.C., LSM
- George D. Hunter
- Vern Krishna, C.M., Q.C., FRSC, LSM
- Gavin MacKenzie
- Ronald D. Manes
- The Hon. R. Roy McMurtry, O.C., O.Ont., Q.C., LSM
- W. A. Derry Millar, LSM



- Daniel J. Murphy, Q.C.
- Ross W. Murray, Q.C.
- Alan W. Pope, Q.C.
- Julian Porter, Q.C., LL.D.
- Judith M. Potter
- The Hon. Allan Rock, P.C., Q.C.
- Heather Joy Ross
- Clayton Ruby, C.M.
- Arthur R. A. Scace, C.M., Q.C.
- The Hon. James M. Spence, Q.C., LL.D.
- Norman W. Sterling, Q.C.
- Harvey T. Strosberg, Q.C., LSM
- Gerald A. Swaye, Q.C., C.S.
- J. James Wardlaw, Q.C., LSM
- Bradley H. Wright
- Roger D. Yachetti, Q.C.
- David S. Young

## Honorary Benchers

- His Royal Highness Prince Charles, The Prince of Wales
- Thomas G. Conway (Emeritus Treasurer)
- Laurie H. Pawlitza, LL.D. (Emeritus Treasurer)
- Constance Backhouse, C.M., O.Ont., LSM (Emeritus Bencher)
- John A. Campion (Emeritus Bencher)
- Alan D. Gold (Emeritus Bencher)
- Alan G. Silverstein, C.S. (Emeritus Bencher)
- Beth Symes, C.M., LSM (Emeritus Bencher)

## Committee Chairs

- Access to Justice — Cathy Corsetti
- Audit & Finance — Christopher Bredt
- Audit & Finance — Peter Wardle
- Compensation Fund — Carol Hartman
- Equity and Aboriginal Issues — Julian Falconer
- Equity and Aboriginal Issues — Janet Leiper

- Government and Public Affairs — Marion Boyd
- Government and Public Affairs — John Callaghan
- Government and Public Affairs — William McDowell
- Inter-Jurisdictional Mobility — Jacqueline Horvat
- Litigation — Peter Wardle
- Paralegal Standing — Michelle Haigh
- Priority Planning — Janet E. Minor
- Professional Development & Competence — Howard Goldblatt
- Professional Regulation — Malcolm Mercer
- Tribunal — Barbara Murchie

## Membership – 2015

- Adriana Doyle was appointed to the Superior Court of Justice of Ontario, Family Court on February 26, 2015.
- Carl Fleck was elected a bencher to fill the resulting vacancy.
- Thomas Cole, a former bencher, passed away on March 3, 2015.
- The Honourable W. Dan Chilcott, Q.C., former bencher and Treasurer, passed away on April 28, 2015.
- Treasurer Janet E. Minor was re-elected as a bencher on April 30, 2015, and resumed her duties as Treasurer.
- Isfahan Merali was elected a bencher in the Toronto region to fill the vacancy.
- Jack Rabinovitch, an appointed lay bencher, resigned on May 28, 2015.
- Gisèle Chrétien and Suzanne Clément were appointed as lay benchers on May 28, 2015.
- Janet E. Minor was re-elected as Treasurer on June 25, 2015.
- The Honourable James Spence, a retired Judge and former bencher and Treasurer, returned to Convocation on September 24, 2015.

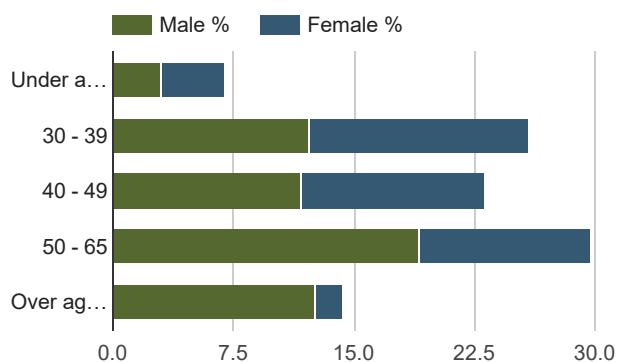
# Professions

## Membership Statistics

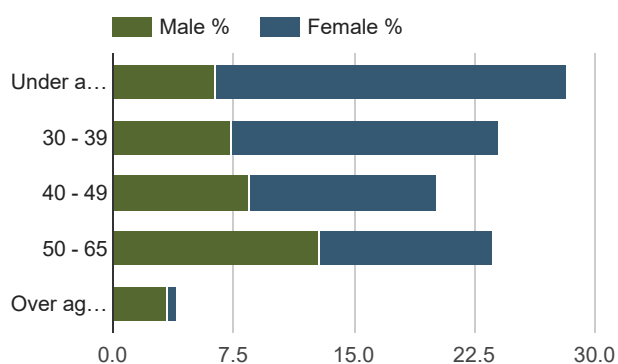
In 2015, we were the regulator of more than 49,000 lawyers and almost 7,700 paralegals.

For more information on our membership, see the [Operational Trends \(2015/en/key-trends/\)](#) section.

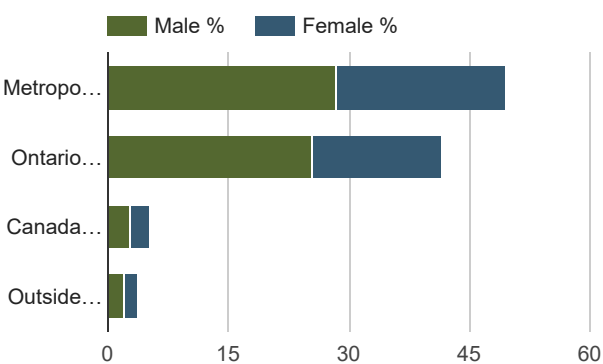
### Lawyers by age and gender



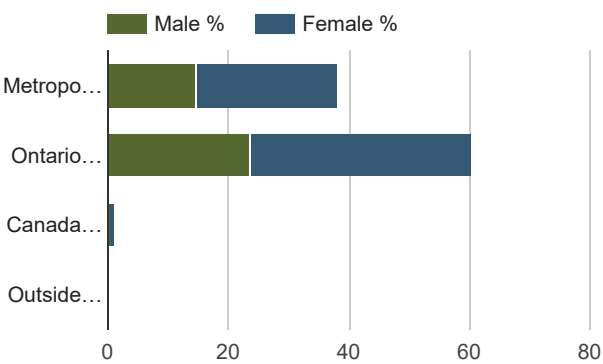
### Paralegals by age and gender



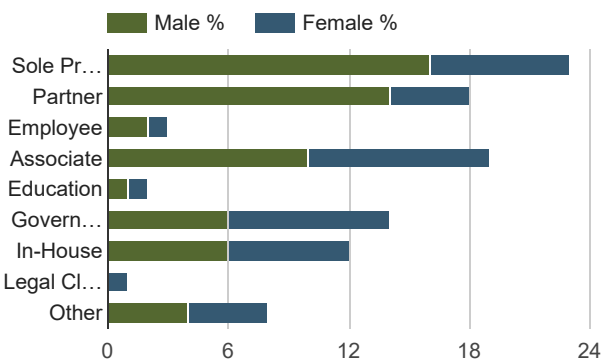
# Geographical distribution of lawyers



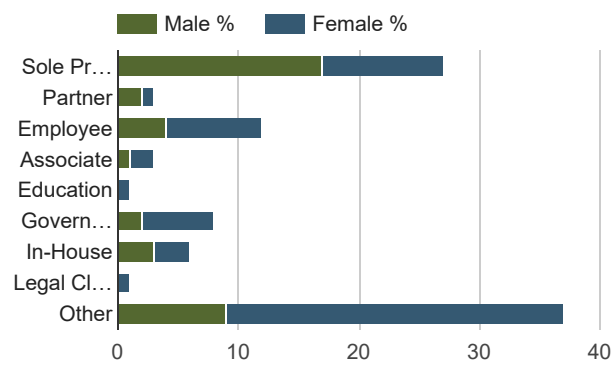
# Geographical distribution of paralegals



# Lawyers by type of employment



## Paralegals by type of employment



# Professions

## Statistical Snapshot of Lawyers from the Lawyer Annual Report (LAR) 2014

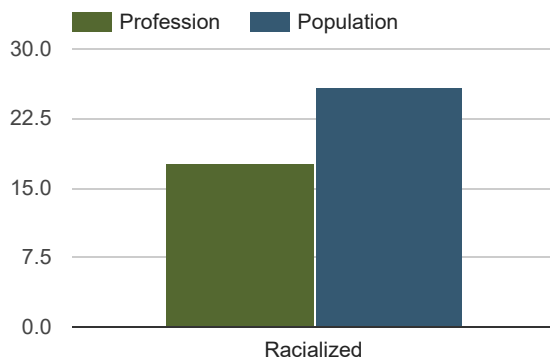
The Law Society of Upper Canada has been collecting self-identification data in the Lawyer Annual Report since 2009. The structure of the survey at the time permitted the lawyer to opt to pass over the question and provide no response. This option has been modified so that, while a lawyer can still decline to self-identify, the person must now so indicate by expressly entering this response.

The response rate for each question is as follows:

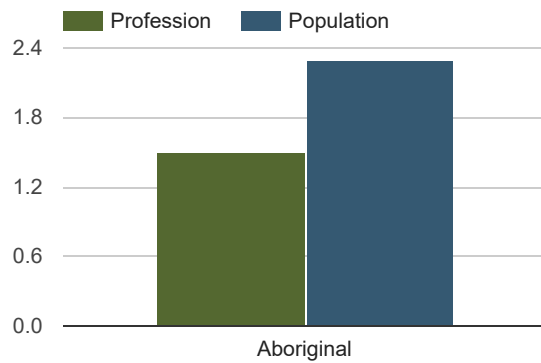
<b>Aboriginal</b>	89%
<b>Racialized</b>	77.5%
<b>Sexual orientation</b>	82.1%
<b>Francophone</b>	90.6%
<b>Able to provide legal services in French</b>	85.8%
<b>Disability</b>	85%
<b>Gender</b>	100%

## Race and Aboriginal

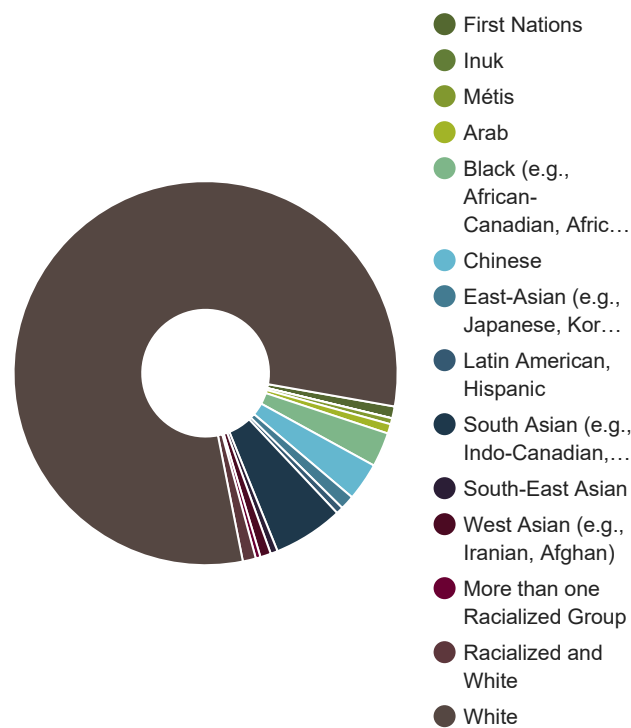
Representation in profession vs. representation in Ontario Population –  
Racialized (%)



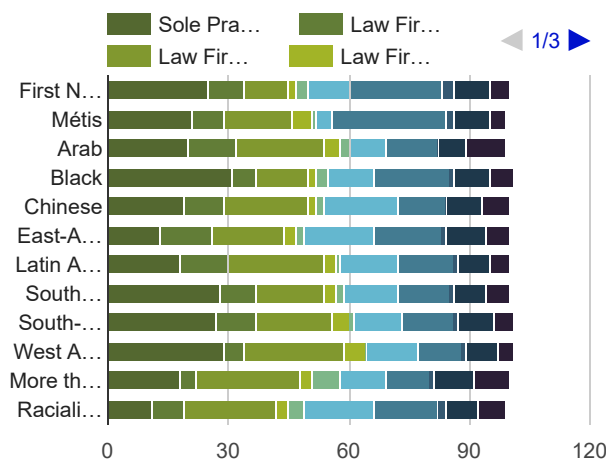
Representation in profession vs. representation in Ontario Population –  
Aboriginal (%)



# Racialized & Aboriginal by percentage of respondents



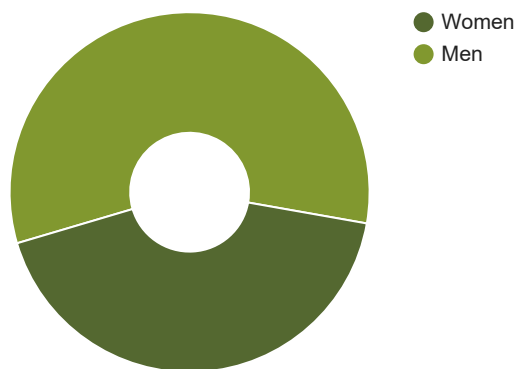
## Type of Licence by Racialization (%)



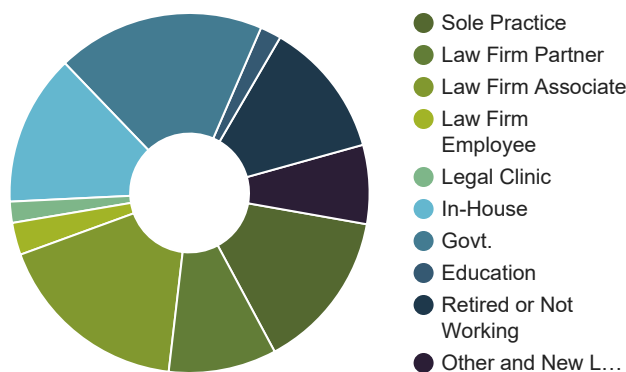


# Gender

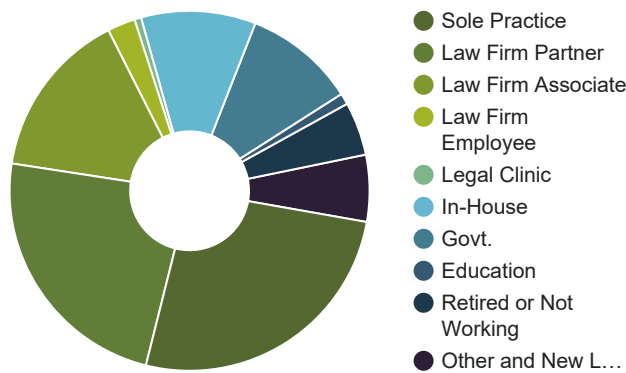
Gender - Total (%)



Type of Licence by Gender – Women (%)

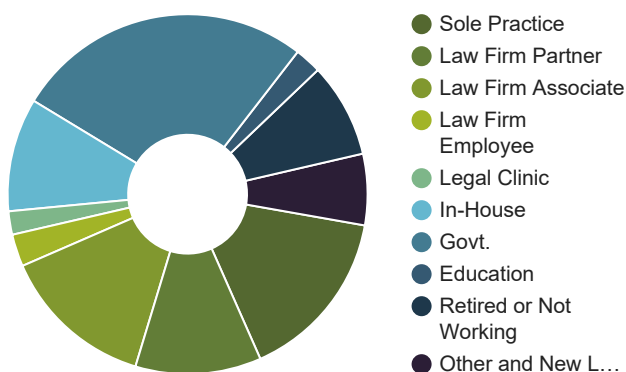


Type of Licence by Gender – Men (%)



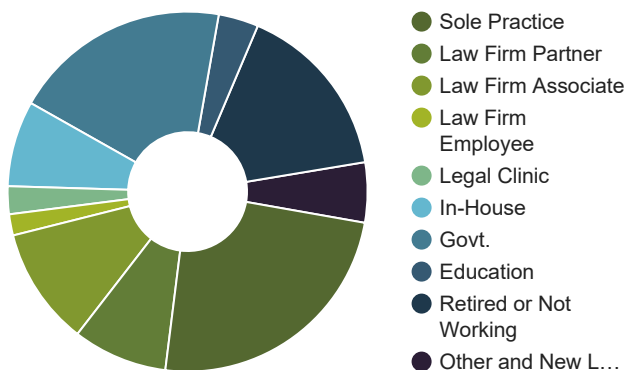
## Francophone

Type of Licence by Francophone Identity and Ability to Provide Legal Advice in French (%)



## Disability

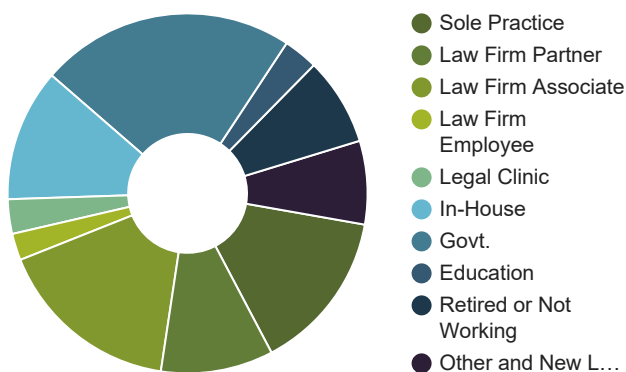
Type of Licence by Presence of a Disability (%)



Note: Compared to population estimates, the number of lawyers self-reporting disability is inexplicably low. Further sampling over time may have to be conducted.

## Sexual Orientation

Type of Licence by Sexual Orientation (%)



# Professions

## Statistical Snapshot of Paralegals from the Paralegal Annual Report (PAR) 2014

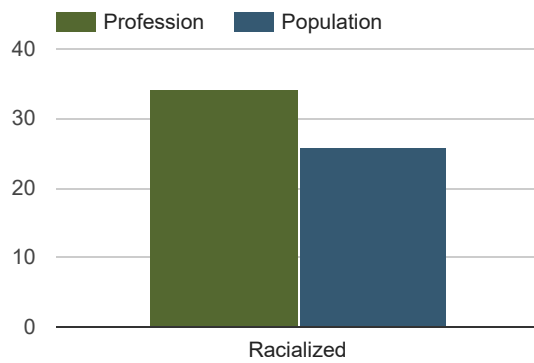
The Law Society of Upper Canada has been collecting self-identification data in the Paralegal Annual Report since 2009. The structure of the survey at the time permitted the paralegal to opt to pass over the question and provide no response. This option has been modified so that, while a paralegal can still decline to self-identify, the person must now so indicate by expressly entering this response.

The response rate for each question is as follows:

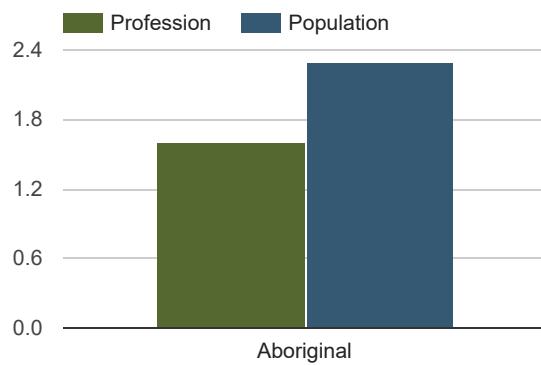
<b>Aboriginal</b>	92.1%
<b>Racialized</b>	81.3%
<b>Sexual orientation</b>	86.1%
<b>Francophone</b>	92.3%
<b>Able to provide legal services in French</b>	83.8%
<b>Disability</b>	88.8%
<b>Gender</b>	100%

## Race and Aboriginal

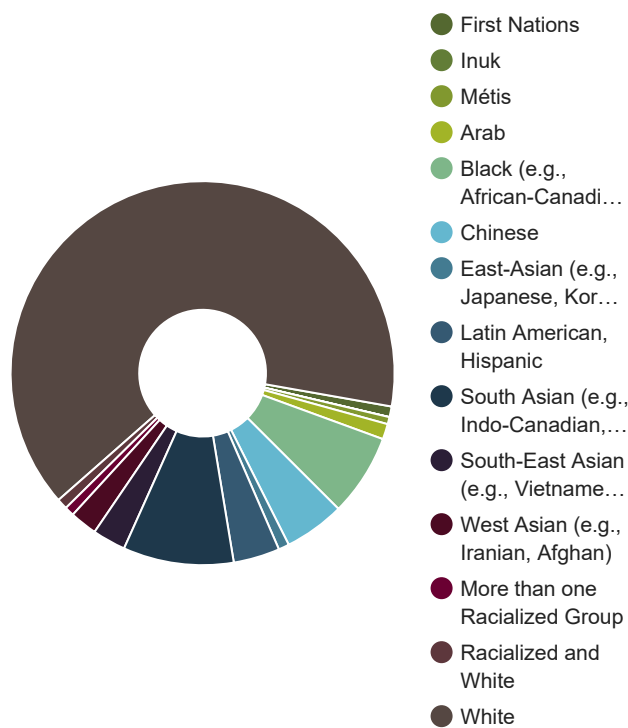
Representation in profession vs. representation in Ontario Population –  
Racialized (%)



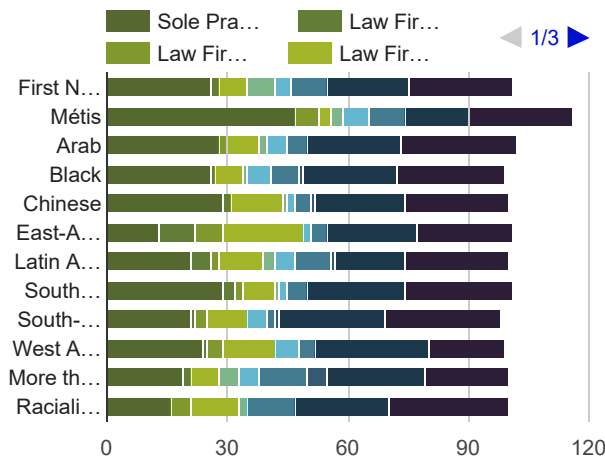
Representation in profession vs. representation in Ontario Population –  
Aboriginal (%)



Racialized & Aboriginal by percentage of respondents

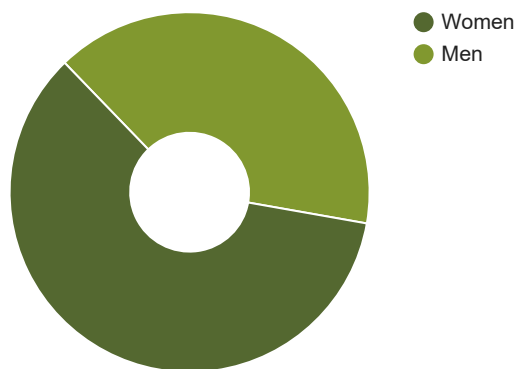


Type of Licence by Racialization (%)

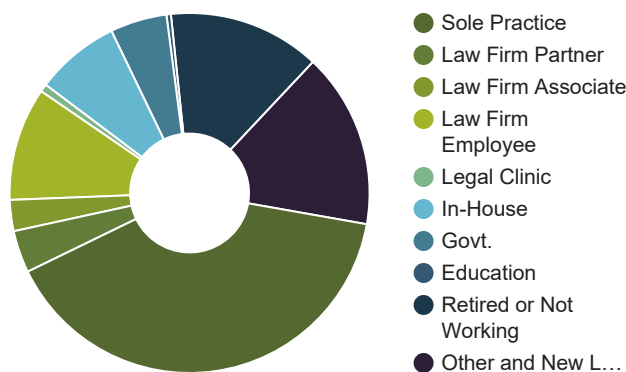


# Gender

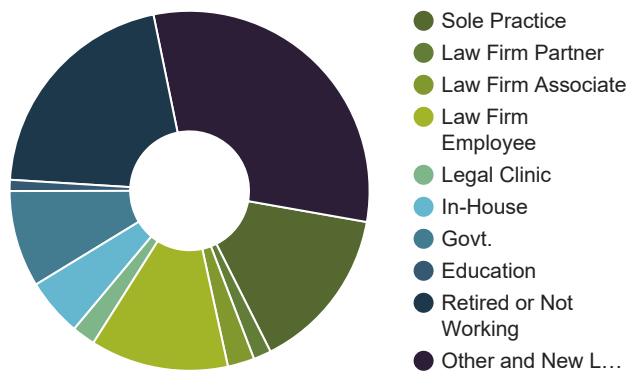
Gender - Total (%)



Type of Licence by Gender – Women (%)



Type of Licence by Gender – Men (%)



# Key Trends

## Complaints and Investigations

As part of our mandate to protect the public interest, the Law Society responds to complaints about the conduct, capacity and competence of lawyers and licensed paralegals.

Between 2009 and 2015, the number of lawyers licensed by the Law Society increased by 20%, but the number of lawyers who received a complaint actually only increased by 2%. During the same period, the number of paralegals licensed by the Law Society increased by 280%, but the number of paralegals who received a complaint only increased by 66%.

In 2015, our Complaints Services Department received 6,127 new complaints and re-opened 112, for a total of 6,239 complaints.

Of those, 4,647 complaints were referred to our Professional Regulation Division, including:

- 4,190 complaints about conduct, capacity and competence
  - (3,646 involving lawyers and 544 involving paralegals)
- 261 involving licensing applicants
- 196 involving non-licensees (i.e. unauthorized practice)

2,534 cases were closed on the basis of jurisdiction, early resolution or lack of sufficient information to commence an investigation.

1,686 cases were investigated and closed with a staff caution, advice to the licensee on best practices, or the conclusion that the allegation was not established.

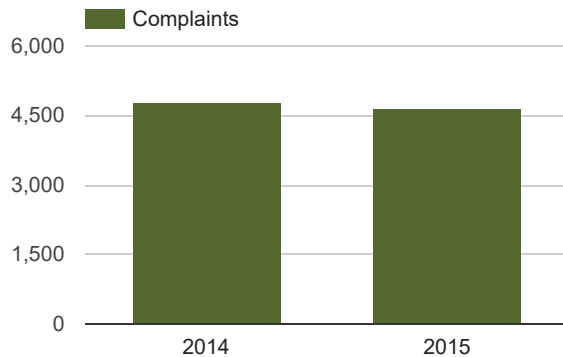
46 case closures resulted in appropriate diversion, including a practice or spot audit recommendation, an Invitation to Attend, or a Letter of Advice.

104 matters (involving 261 complaints) were closed after a Law Society Tribunal hearing

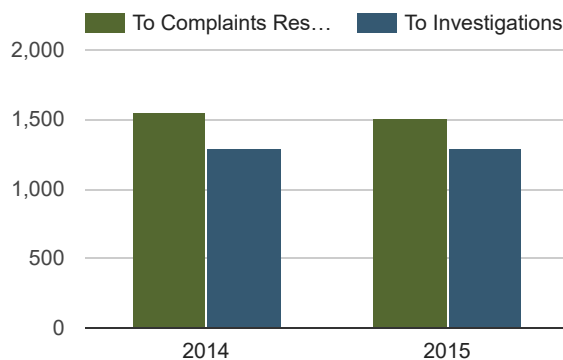
on conduct or capacity.

The following graphs display information concerning complaints in the Professional Regulation Division in 2015.

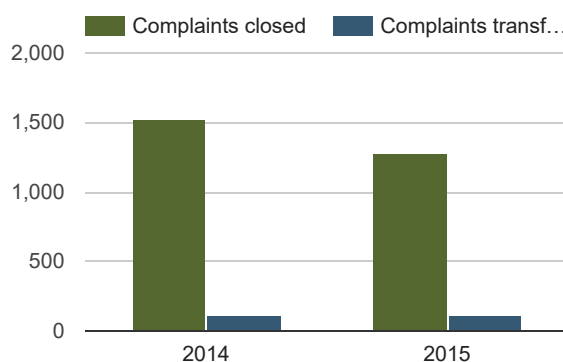
## New complaints received in the Professional Regulation Division, by year



## Complaints referred for investigation by the Intake Department

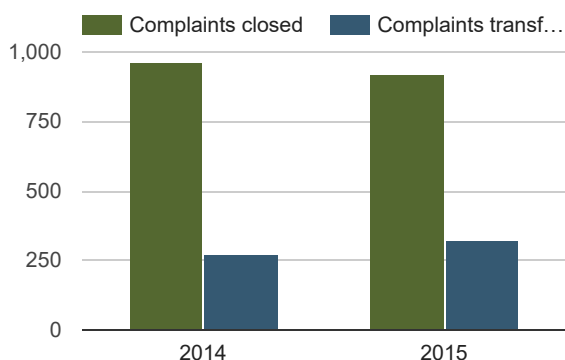


## Cases completed in the Complaints Resolution Department



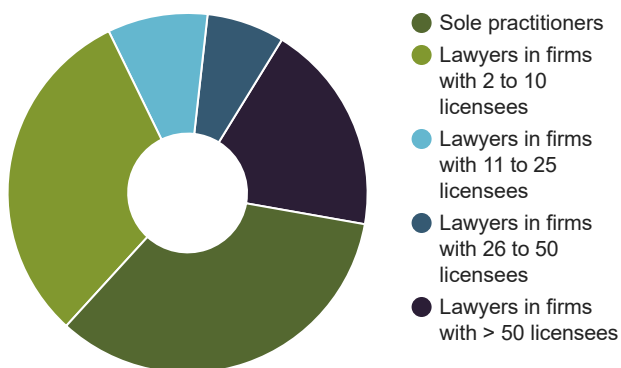


## Cases completed in the Investigations Department

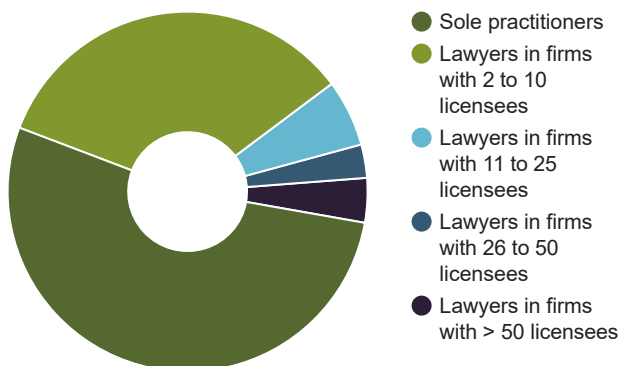


Lawyers in practice against whom a complaint was made in 2015 by size of firm, compared to all lawyers in practice by size of firm

All lawyers in practice by size of firm (%)

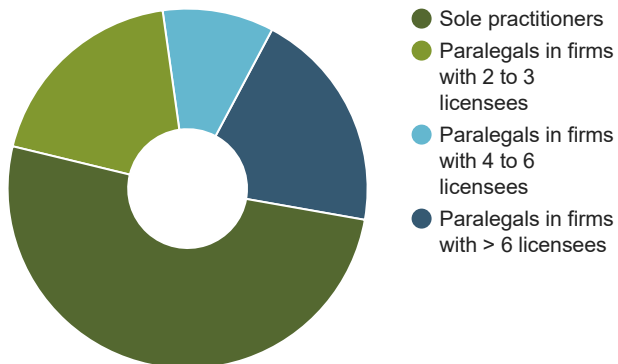


Lawyers in practice against whom a complaint was made in 2015 by size of firm (%)

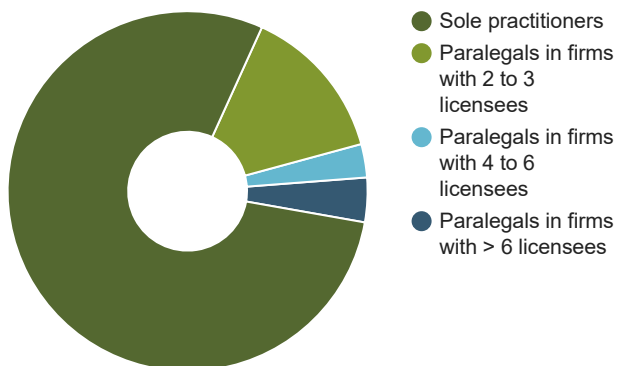


## Paralegals against whom a complaint was made in 2015 by firm size, compared to all paralegals in practice by size of firm

All paralegals in practice by size of firm (%)

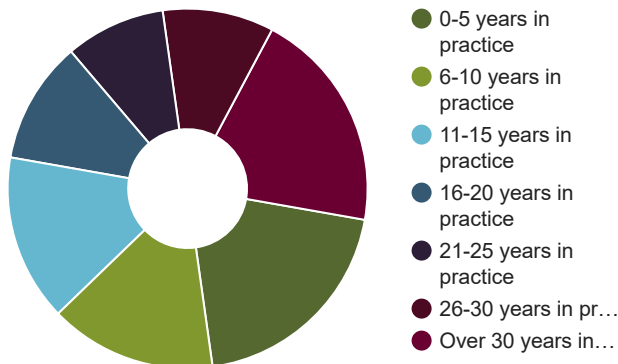


Paralegals in practice against whom a complaint was made in 2015 by size of firm (%)

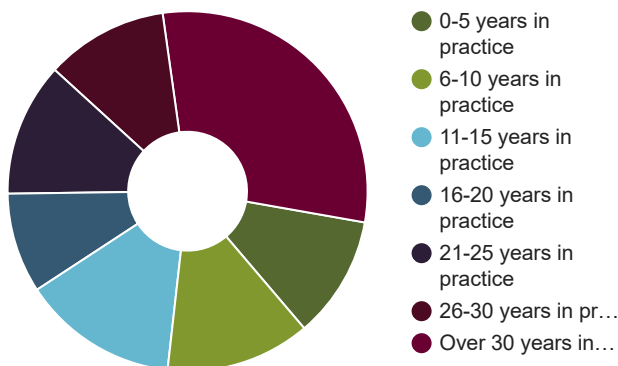


Lawyers in practice against whom a complaint was made in 2015 by years in practice, compared to all lawyers in practice, by years in practice

Lawyers in practice, by years in practice (%)

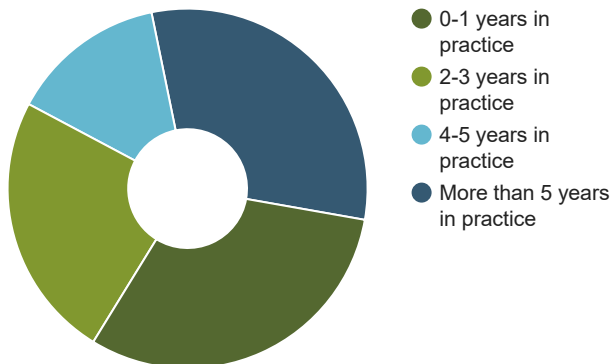


Lawyers in practice against whom a complaint was made in 2015, by years in practice (%)

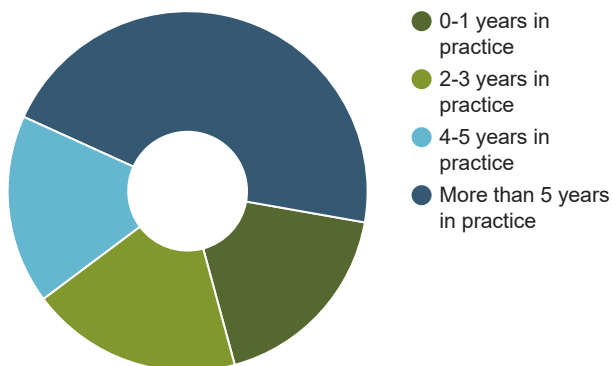


## Paralegals in practice against whom a complaint was made in 2015, compared to all paralegals in practice, by years licensed

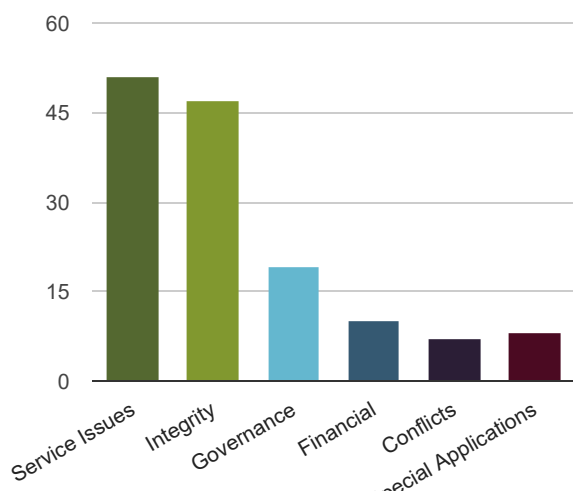
Paralegals in practice, by years licensed (%)



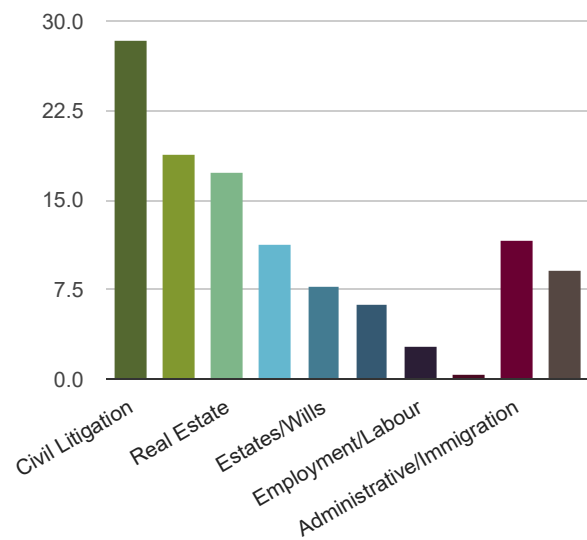
## Paralegals in practice against whom a complaint was made in 2015, by years licensed (%)



## Issues raised in new complaints



## Area of law in which complaints occurred



\* “Other” may include allegations of conduct unbecoming or misconduct that is not related to a specific area of law.

# Key Trends

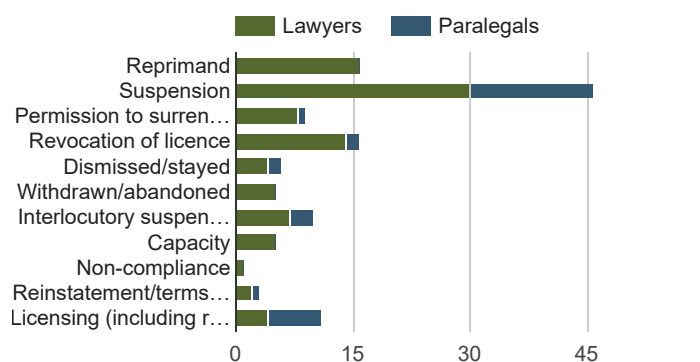
## Discipline

Most complaints to the Law Society are closed or resolved without formal discipline.

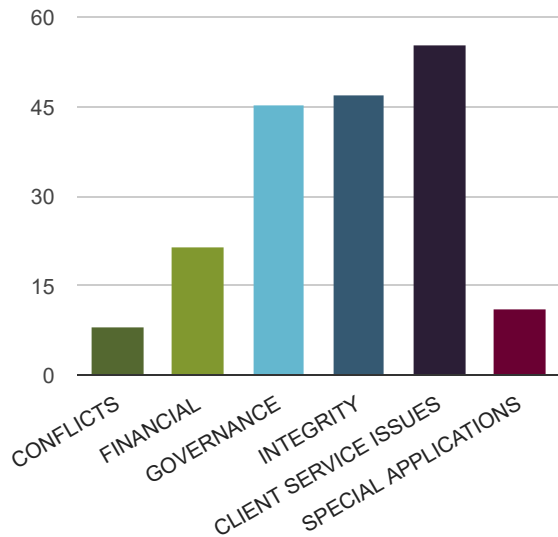
Matters assigned to the Discipline Department include:

- Cases involving lawyer and paralegal misconduct
- Failure to comply with regulatory obligations (including the duty to respond to a Law Society investigation)
- Incapacity
- Applications for reinstatement of suspended licences
- Applications to vary Hearing Panel orders
- Appeals to the Appeal Division and to the Courts
- Motions for Interlocutory Suspension orders

## Hearings: matters heard and disposed of by the Law Society Tribunal – Hearing Division in 2015



## Discipline issues by percentage of total



Figures total more than 100% because some files raise more than one issue.

## Interlocutory Suspensions

The Law Society will seek an interlocutory suspension (suspending a licensee until an investigation and/or prosecution is completed) when the evidence reveals ongoing risk of harm.

In 2015, 10 motions for an interlocutory suspension of a lawyer's or paralegal's licence were completed before the Law Society Tribunal – Hearing Division.

- Eight of the 10 motions resulted in a suspension of the licensee's licence pending the conclusion of the hearing.
- In two motions, the Hearing Division placed restrictions on the licensee's practice pending the conclusion of the hearing.

## Appeals and judicial reviews commenced in the Law Society Tribunal – Appeal Division, Divisional Court and the Court of Appeal

In 2015, there were 16 appeals of decisions of the Law Society Tribunal – Hearing Division to the Law Society Tribunal – Appeal Division.

### Appeals to the Courts

There were six appeals and one application for judicial review initiated in the Divisional Court in 2015. There were five motions for leave to appeal, one appeal and two other motions initiated to the Court of Appeal.



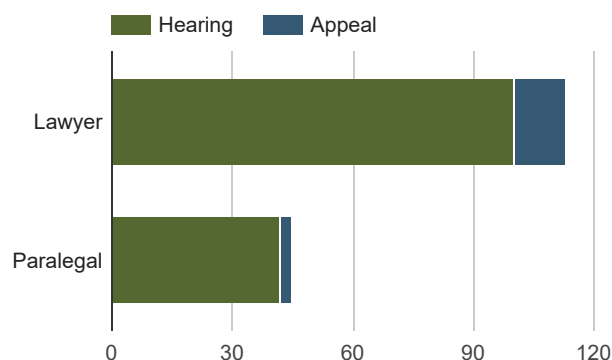
# Key Trends

## Law Society Tribunal

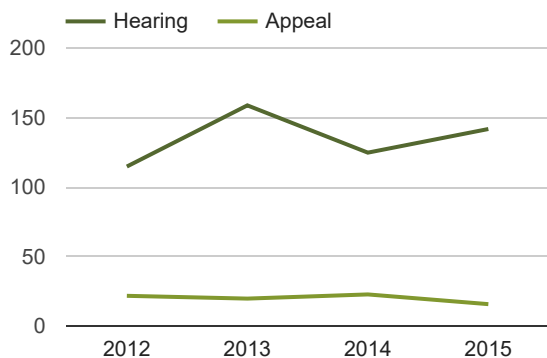
The Law Society Tribunal opens a file upon the filing of a notice of application, referral for hearing, motion for interlocutory suspension or practice restriction, or appeal.

Files are closed after the final decision and order, and reasons, if any, have been released or a notice of abandonment has been filed. A file closed in a particular year may have been opened in that same year or any time prior.

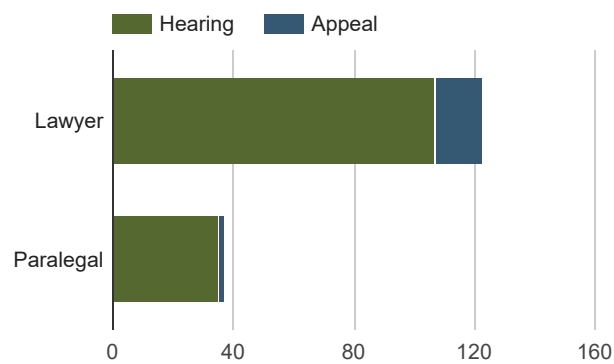
### Law Society Tribunal: Files opened, by type



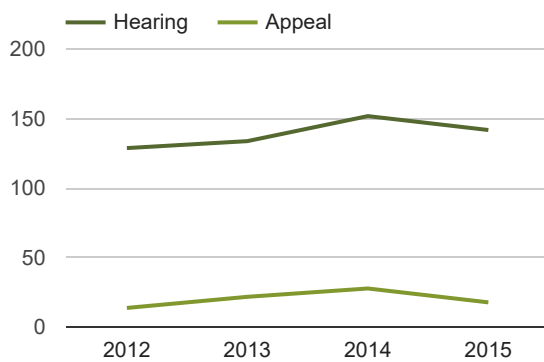
### Law Society Tribunal: Files opened, by year



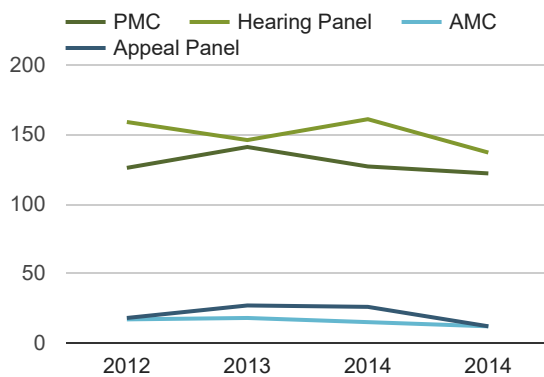
## Law Society Tribunal: Files closed, by type



## Law Society Tribunal: Files closed, by year



## Number of lawyers and paralegals before the Law Society Tribunal, by type and year



PMC: Proceeding Management Conference

AMC: Appeal Management Conference

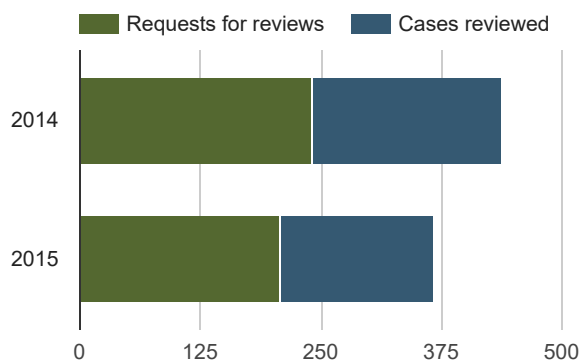
# Key Trends

## Complaints Review

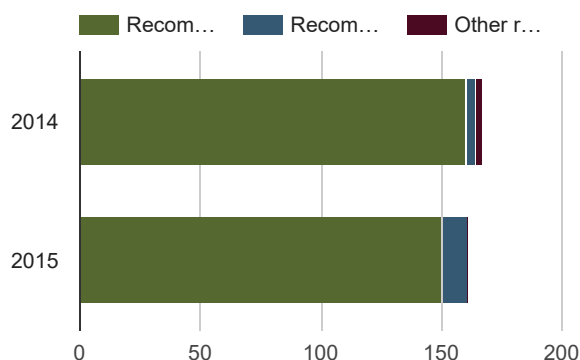
Where a complainant is dissatisfied with the manner in which a case was handled, they can ask the Complaints Resolution Commissioner (CRC) to review the investigation and the decision to close the case. This review, which typically involves meeting with the complainant in person or by phone, is made to determine whether the decision of the Law Society was reasonable.

The CRC may refer a matter back to the Executive Director of Professional Regulation with recommended further action.

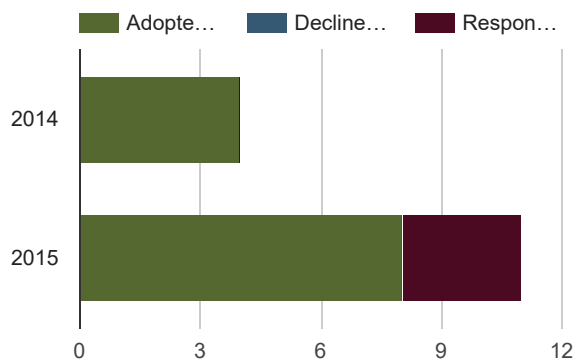
### Requests for reviews and review meetings held



### Complaints Resolution Commissioner's decisions rendered, by outcome



## Response of the Executive Director, Professional Regulation to files referred back from the Commissioner for further action



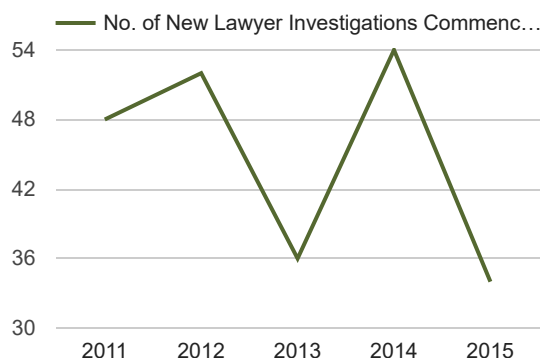
# Key Trends

## Mortgage Fraud

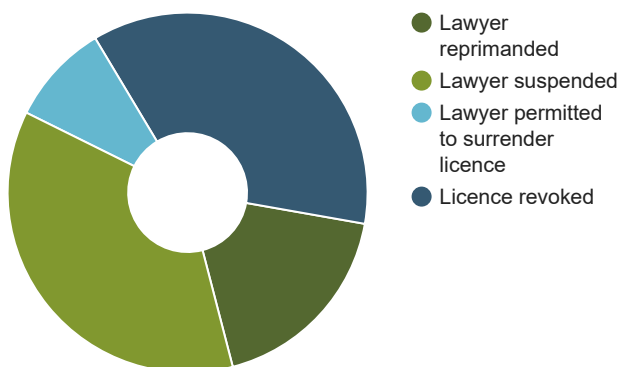
The Law Society investigates and prosecutes those accused of mortgage fraud. In 2015, the number of incoming complaints about mortgage fraud averaged 2.8 new lawyers per month. New mortgage fraud investigations were opened against 34 lawyers. During the year, 48 investigations were completed — two of which proceeded to prosecution.

Since 2001, the Law Society has completed 116 mortgage fraud prosecutions.

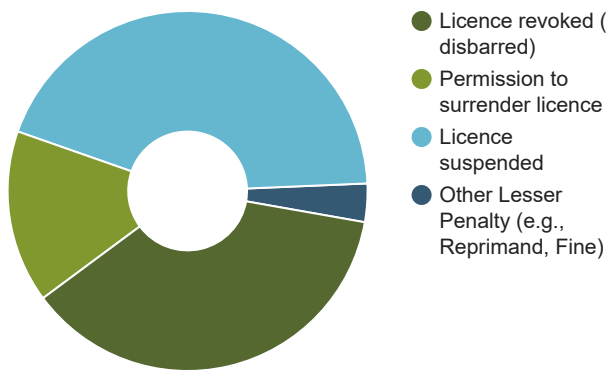
### Number of new lawyer investigations commenced in year, 2011 to 2015



### Mortgage Fraud Prosecutions – 2015 results from the Law Society Tribunal – Hearing Division



## Mortgage Fraud Prosecutions – results from the Law Society Tribunal since 2001



# Key Trends

## Trusteeships, Unclaimed Trust Fund, Compensation Fund, Costs Recovered

### Trustee Services

Under Section 49.47 of the Law Society Act, the Law Society may seek a trusteeship where a lawyer or paralegal has abandoned his/her practice, has had their licence revoked or has otherwise ceased to practise or provide legal services.

The purpose of the trusteeship is to protect client property and interests, and to ensure that ongoing client matters receive the necessary attention.

Once the Law Society obtains a voluntary trusteeship or trusteeship order from the Superior Court, the Trustee Services Department takes effective control over client matters related to the professional business. A significant part of the work of Trustee Services staff is responding to specific client-related requests such as the return of a file or responding to information concerning a professional business in trusteeship.

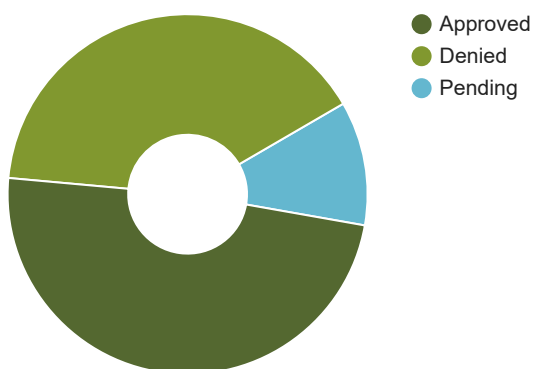
### Trusteeships and client requests

	2014	2015
<b>Formal Trusteeships obtained under the Law Society Act (matters assessed as formal trusteeships)</b>	24 (28)	11 (24)
<b>Trusteeships obtained by negotiated agreement</b>	7	0
<b>Cases in which guidance and information provided on how to wind up a lawyer's law practice</b>	33	35
<b>Client requests opened (including trust distribution)</b>	2,423 (394)	2,191 (146)
<b>Client requests closed (including trust distribution)</b>	2,417 (392)	1,891 (30)

## Unclaimed Trust Fund

Under the *Law Society Act*, lawyers and paralegals are required to submit to the Law Society unclaimed trust funds that they have held for at least two years. Members of the public who believe they are entitled to these funds are able to make claims for these funds. Names of those entitled are published from time to time in the *Ontario Gazette*.

2015



Total received \$516,715

Claims paid (3) \$3,077

## Compensation Fund

For more than 50 years, the Compensation Fund has compensation members of the public who have suffered a financial loss through the dishonesty of a lawyer or paralegal. Clients can apply to the Fund for reimbursement of lost money or property.

Pursuant to the general guidelines for the determination of grants, the Fund can be used to reimburse individuals for up to a maximum of \$150,000 for losses involving lawyers and \$10,000 for losses involving paralegals.

In 2015, 176 new claims/applications were received against lawyers and 22 against paralegals. Grants were paid on 109 claims against lawyers and on 11 claims against paralegals. For more details, see the Law Society's [Financial Statements \(2015/en/financial-statements/\)](#).



## Costs Recovered

In 2015, the Law Society collected more than \$600,000 from Discipline order costs, Compensation Fund recoveries, bankruptcy dividends and Trusteeship cost recoveries. For more details, see the Law Society's [Financial Statements \(2015/en/financial-statements/\)](#)

# Key Trends

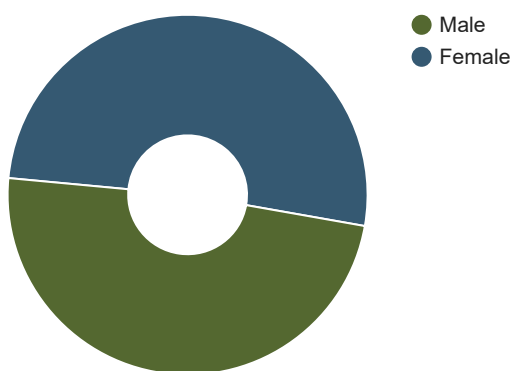
## Licensing Statistics

The lawyer licensing process comprises two separate examinations, an experiential training program, which may be completed through a 10-month articling term, or the eight-month Law Practice Program, and a good character requirement.

Paralegal candidates are required to complete a diploma or certificate from an accredited paralegal program and a 120-hour field placement, as well as write a licensing examination and meet good character requirements.

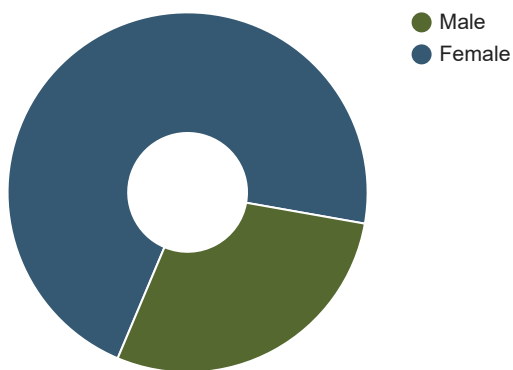
2,201 lawyers were issued a licence in 2015. 1,372 paralegals were licensed.

### Lawyers issued a licence in 2015



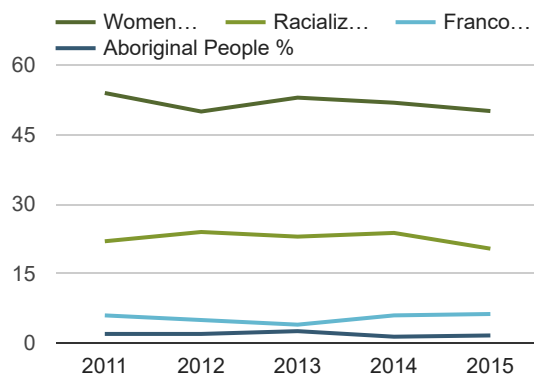
Total licensed 2,201

## Paralegals issued a licence in 2015

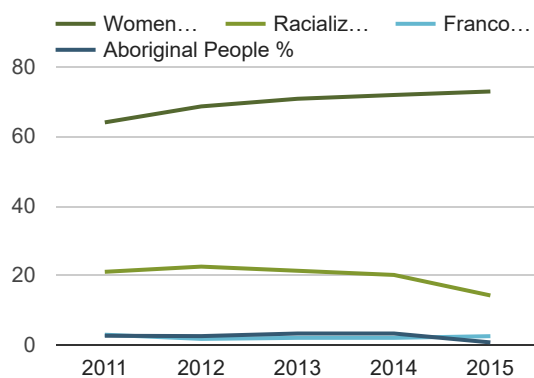


Total licensed 1,372

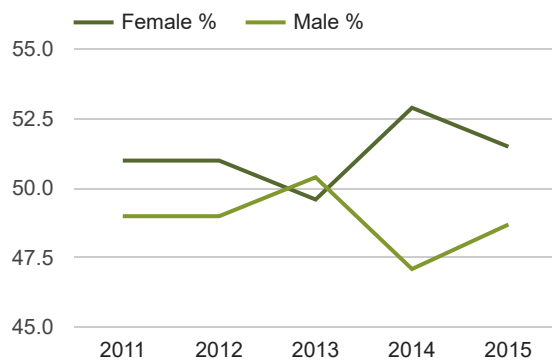
## Lawyer enrolment in the Licensing Process by equity-seeking group: 2011-15



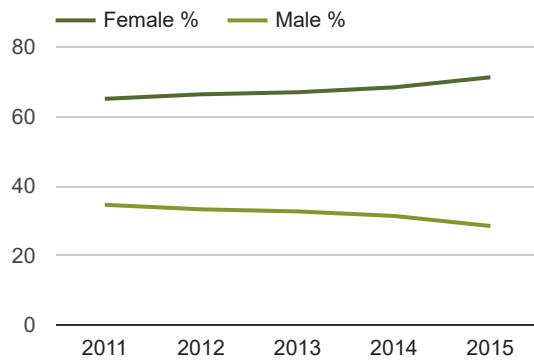
## Paralegal enrolment in the Licensing Process by equity-seeking group: 2011-15



## Lawyers licensed, by gender: 2011-2015



## Paralegals licensed, by gender: 2011-15

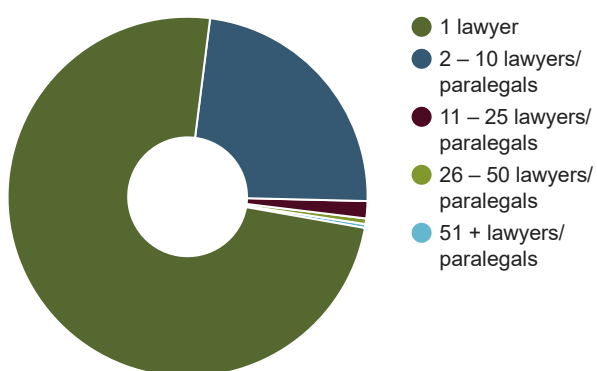


# Key Trends

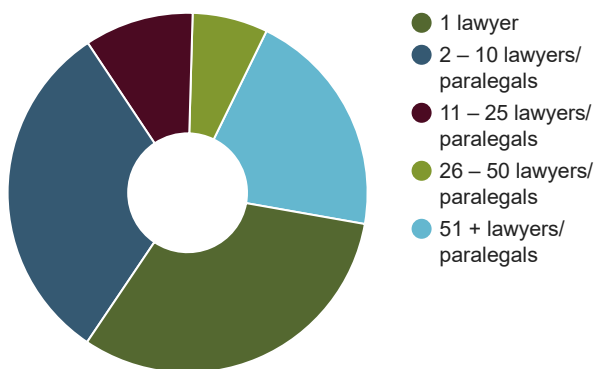
## Law Firms/Paralegal Firms

In 2015, there were 10,209 law firms and 1,748 paralegal firms operating as a primary business for a licensee in the province.

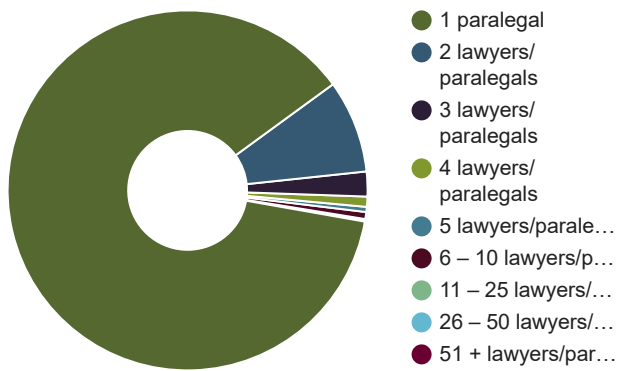
### Law Firms by Size



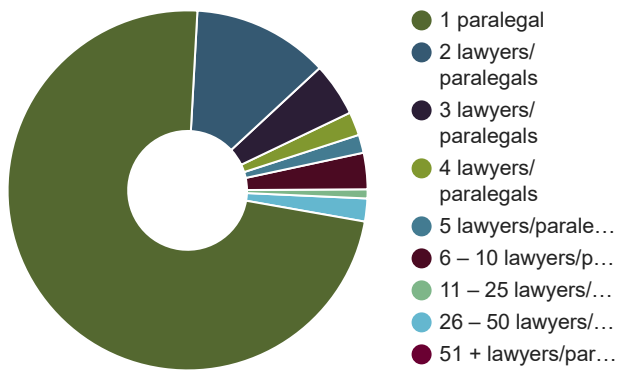
### Law Firms by Number of Licensees



## Paralegal Firms by Size



## Paralegal Firms by Number of Licensees



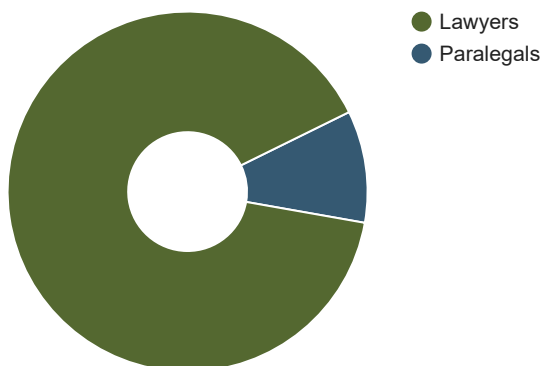
# Key Trends

## Law Society Referral Service

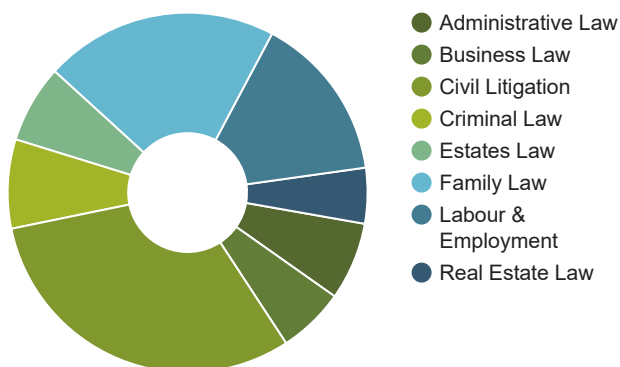
Every day, hundreds of people seek Law Society Referral Service (LSRS) referrals to lawyers or paralegals because they need help with a legal issue. Lawyers and paralegals who are part of the LSRS agree to provide up to 30 minutes of free consultation to callers to explore their legal options.

In 2015, there were a total of 35,925 LSRS referrals, with 1,145 lawyers and 136 paralegals subscribed to the service.

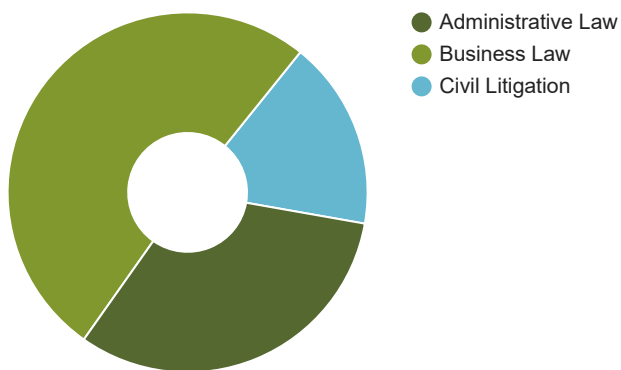
### LSRS referrals to lawyers and paralegals



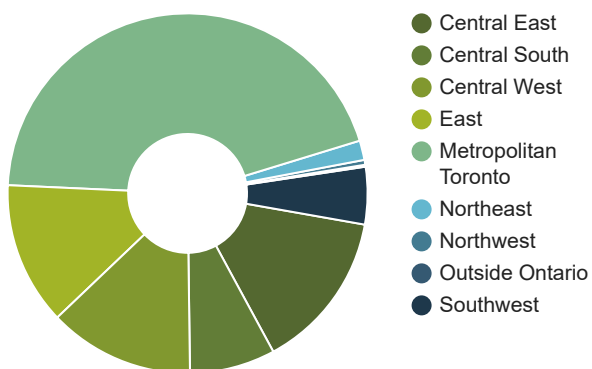
### LSRS referrals by area of law: Lawyers



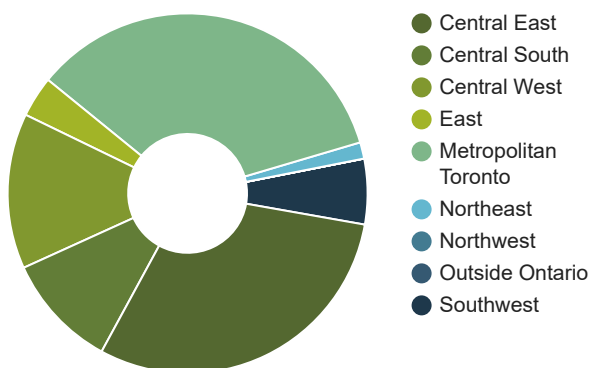
## LSRS referrals by area of law: Paralegals



## LSRS members by geographical region: Lawyers



## LSRS members by geographic region: Paralegals





# Financial Statements

The Law Society of Upper Canada's ("the Society") audited financial statements (2015/en/financial-statements/Annual-Report-English-Final.pdf) present the operational results and financial position of the General Fund, the Compensation Fund, the Errors & Omissions Insurance Fund ("E&O Fund") and other restricted funds.

Separate financial statements have been prepared for the Society's subsidiaries: Lawyers' Professional Indemnity Company ([http://www.lawpro.ca/Annual\\_Reports/LAWPRO\\_Annual\\_Report2015.pdf](http://www.lawpro.ca/Annual_Reports/LAWPRO_Annual_Report2015.pdf)) ("LAWPRO") and LibraryCo Inc ([http://www.libraryco.ca/wp-content/uploads/2016/04/LibraryCo\\_AR15\\_ENG-FINAL-s.pdf](http://www.libraryco.ca/wp-content/uploads/2016/04/LibraryCo_AR15_ENG-FINAL-s.pdf)). ("LibraryCo").

The annual financial statements were approved by Convocation on April 28, 2016, and show the Society continues to maintain a strong financial position.

## Summary of Financial Performance

The lawyer and paralegal General Funds, which account for the Society's program delivery and administrative activities, are reporting a combined operating surplus of \$2.3 million, approximately the same as in 2014 and better than the budgeted deficit. With the exception of investment income, all the major revenue categories exceeded budget. All the major expense categories also had favourable variances compared to budget.

Total regulatory expenses are relatively static at \$28.2 million. Complaint volumes have fluctuated in a fairly narrow band in recent years although typical investigations are requiring increased resources.

After years of increases, there were relatively fewer Licensing Process candidates in 2015, and revenues decreased to \$12.9 million. Continuing Professional Development revenues decreased to \$8.5 million. The department continues to see a shift toward online learning.

The Society's restricted funds are reporting a combined deficit of \$6.1 million in 2015 primarily because:

- The Lawyer Compensation Fund experienced an adverse claims experience, resulting in a deficit of \$713,000;
- The Errors & Omissions Insurance Fund provided a \$2.5 million premium contribution to reduce the lawyer's base premium; and
- Amortization in the Invested in Capital and Intangible Assets Fund was \$3.7 million.